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COMMISSION ON HUMAN RIGHTS

Forth-eighth session

SUMMARY RECORD OF THE 55th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 5 March 1992, at 10 a.m.

Chairman: Mr. SOLT (Hungary)

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The meeting was called to order at 10.40 a.m.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES, INCLUDING:

(a) QUESTION OF HUMAN RIGHTS IN CYPRUS

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Draft resolution on the situation of human rights in Iraq (E/CN.4/1992/L.76)

1. Mr. PEREIRA GOMES (Portugal), introducing the draft resolution on behalf of its sponsors, said that it was based on the report of the Special Rapporteur on the situation of human rights in Iraq (E/CN.4/1992/31). It was evident from that report that serious violations of human rights were taking place on a large scale in that country, and that there was no indication that the Iraqi Government intended to mend its ways.

2. On the contrary, the Special Rapporteur's conclusions indicated very clearly that the Iraqi authorities in no way respected the obligations they had undertaken in regard to human rights, and that unacceptable practices, such as torture (including the torture of children), arbitrary and summary executions and enforced disappearances would continue to characterize Iraqi government policy, particularly with regard to the Kurdish population and the Shi'ites in the south of the country.

3. The situation was thus sufficiently alarming to justify the Special Rapporteur's recommendation that a team of human rights monitors should be sent by the United Nations, a recommendation taken up in the draft resolution. The Commission should respond to the gravity of the violations by appealing to the Iraqi Government to respect the fundamental rights of its population in future.

4. The draft resolution also expressed the hope that the Iraqi Government would affirm its willingness to cooperate with the Special Rapporteur, thereby contributing to a genuine protection of human rights in that country. The sponsors hoped that the draft resolution would be adopted by consensus.

5. At the request of the Syrian representative, the sponsors had agreed to make a number of changes in the wording of the draft resolution. In the ninth preambular paragraph, "Kurdish" should be replaced by "Iraqi" in the first and third lines. In operative subparagraph 2 (a) the words "of Iraq" should be added after "the northern Kurdish region". The phrase "including Kurds and Shi'ites" should be deleted at the end of operative paragraph 6, and the words "Iraqi people" substituted for the word "Kurds" at the end of operative paragraph 7. Lastly, the word "Kurdish" should be deleted from operative paragraph 13.

6. Mr. MAUTNER-MARKHOF (Secretary of the Commission) said that the delegation of the United States of America and the observer for Lithuania had become sponsors of the draft resolution, whose estimated financial implications

for 1992 were US$ 84,800 and, for 1993, US$ 14,900. The cost estimates were based on previous expenditure patterns. Those provisions were included in the programme budget for the 1992-1993 biennium.

7. Mr. AL-DOURI (Iraq), said that it was evident from the text of the draft resolution that the intention behind it was to continue the campaign of vilification against his country that had been initiated in the resolutions of the Security Council and had been continued by means of an air, land and sea blockade whose impact was being felt by the entire Iraqi people. It was clear that, at the instigation of the United States and its allies, the Commission was being transformed into a replica of the Security Council merely in order to punish Iraq.

8. As for the Special Rapporteur's report (E/CN.4/1992/31), it should be borne in mind that he had been accorded full cooperation by the authorities in Iraq, and that he had visited the country for no more than a week, and had in many instances drawn on misleading sources of information. The Special Rapporteur's report was thus inevitably superficial in its treatment of a complex situation. He wished to point out that the report had not yet been issued in the Arabic version, thus making it difficult for his delegation to study it with the requisite thoroughness in the time available.

9. The Special Rapporteur's report was all the more suspect in that it had been compiled by a national of one of the States that had participated in the military aggression against Iraq.

10. Although the ostensible object of the draft resolution was to reaffirm the primacy of human rights in Iraq, it made no reference to the inhumane repercussions on the Iraqi people of the Security Council's embargo. It should be stressed that the Iraqi people as a whole - including the Kurdish population and the members of the Shi'ite minority - were the true victims of the Security Council's sanctions.

11. It should also be pointed out that the Autonomous Region of Kurdistan was not under the authority of the Central Government of Iraq. Events in that region should be seen as a reflection of the fact that it was a border area between Iraq and a country, namely Iran, with which Iraq had recently been at war. Clearances of villages and towns had been a security measure, and could in no way be regarded as an organized policy of expulsion. Furthermore, Kurds living in those areas had been resettled nearby.

12. The Special Rapporteur had failed to take note of the fact that, were it not for the blockade imposed by the forces responsible for the aggression against Iraq, the Iraqi people would be living quite peacefully, in conditions free from terrorism, hunger and disease.

13. With regard to operative paragraph 4 of the draft resolution, his Government was ready to prove that there were no political prisoners in Iraqi prisons, only common criminals. The Special Rapporteur had been provided with information on the names and numbers of those released from detention in recent months and it was curious that he had not included that information in his report.

14. The allegations contained in the report of the genocide of the Kurds were completely rejected by his delegation. The Kurds were an integral part of the Iraqi people and lived with the Arabs like brothers. The allegations of extermination could not be proved. Likewise, there was no persecution of Shi'ites in Iraq. Critics who claimed that there was merely showed their ignorance of both Iraq and contemporary Islam. Iraq had never discriminated against its own citizens and all religious and ethnic groups were represented throughout the State apparatus.

15. As for operative paragraphs 9 and 10 of the draft resolution, since the Special Rapporteur had visited Iraq only once and then merely for a period of a few days it would surely be preferable for him to gather more information and continue the dialogue with the Government of Iraq rather than leave the situation as it was, with a draft resolution that complemented Security Council resolutions. It appeared that Iraq was to be made an example of, but it should be remembered that force could not solve everything. Human rights required an understanding approach. Circumstances were particularly difficult in Iraq and due consideration should be given to that fact. Adoption of the resolution would be a precedent which would have severe repercussions on relations between other countries and the Commission in the field of human rights.

16. Mr. MOTTAGHI-NEJAD (Islamic Republic of Iran), speaking in explanation of vote before the vote, said that his delegation was extremely concerned about human rights violations in Iraq, particularly in respect of the Shi'ite community and the destruction of religious shrines. His delegation would therefore vote in favour of the draft resolution.

17. At the request of the representative of Iraq, a vote was taken.

18. The draft resolution (E/CN.4/1992/L.76), as orally revised, was adopted by 35 votes to 1, with 16 abstentions.

Draft resolution on extrajudicial, summary or arbitrary executions (E/CN.4/1992/L.77)

19. Mr. DUHS (Observer for Sweden), introducing the draft resolution on behalf of its sponsors, which had been joined by the delegations of France and the United Kingdom as well as his own delegation, said that, because of the resignation of Mr. Wako, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the draft resolution had been revised. The following two new paragraphs should be inserted after operative paragraph 3:

> "4. Takes note with regret of Mr. S. Amos Wako's impending resignation as Special Rapporteur and expresses its gratitude to him for the manner in which he has discharged his functions;
>
> "5. Requests the Chairman of the Commission, after consultations within the Bureau, to appoint an individual of recognized international standing as Special Rapporteur;".

20. The remaining paragraphs should be renumbered accordingly. The first line of the new operative paragraph 6 should read: "Decides that the mandate of the Special Rapporteur shall be".

21. Although the resolution was a traditional text related to the report and mandate of the Special Rapporteur, there were some new elements such as the extension of the Special Rapporteur's mandate for three years and the emphasis placed upon the extrajudicial, summary or arbitrary executions of children. The sponsors hoped that the revised draft resolution would be adopted without a vote.

22. Mrs. RUESTA de FURTER (Venezuela) requested that the revisions to the draft resolution be made available in Spanish.

23. Ms. LIMJUCO (Philippines) said that her delegation had strong reservations regarding the extension of the mandate of the Special Rapporteur for a further three years. While special rapporteurs in general played a very important role in the protection and promotion of human rights, in the particular case of extrajudicial, summary or arbitrary executions, the work of the Special Rapporteur had been reduced merely to monitoring situations, compiling information and communicating with Governments. Moreover, the recommendations contained in his report would not require any follow-up.

24. In the view of her delegation, such bodies as the Centre for Human Rights, the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs, and the Committee on Crime Prevention and Control, which were the focal points for action on the issue of extrajudicial, summary or arbitrary executions, could very well take over the Special Rapporteur's work.

25. Mr. MAUTNER-MARKHOF (Secretary of the Commission) said that the estimates of the costs of implementing the draft resolution were US$ 78,400 in 1992, US$ 81,000 in 1993, US$ 85,000 in 1994 and US$ 90,300 in 1995. The estimates were based on previous patterns of expenditure. Those for 1992 and 1993 were included in the programme budget for that biennium, while those for 1994 and 1995 would be taken into account in the preparation of the programme budget for the forthcoming biennium.

26. Mr. BIGGAR (Observer for Ireland) said that his delegation wished to become a sponsor of the draft resolution.

27. The draft resolution (E/CN.4/1992/L.77), as orally revised, was adopted without a vote.

28. The CHAIRMAN said that, since voting had been completed on the draft resolutions pertaining to agenda item 12, he invited those representatives wishing to give explanations of their votes to do so.

29. Mr. LINDREN ALVES (Brazil) said that, although his delegation would have preferred a consensus resolution on the human rights situation in the Islamic Republic of Iran, it had voted in favour of draft resolution E/CN.4/1992/L.24 since it considered that the situation should continue to be monitored. His delegation was confident that the Government of Iran would continue to extend the fullest cooperation to the Special Rapporteur as it had done in the past.

30. Mr. CROOK (United States of America) said that his delegation had been disappointed by draft resolution E/CN.4/1992/L.70 since, like some other draft resolutions, it made use of inflammatory language that contributed nothing to the search for a just and lasting peace in the Middle East. That draft resolution showed no appreciation of Israel's legitimate security concerns.

31. His delegation had not fully shared in the consensus on draft resolution E/CN.4/1992/L.77. While the Government of the United States of America was, of course, opposed to extrajudicial, summary or arbitrary executions, it had been unable to endorse the calls for increased resources, particular in fields where a more efficient use could be made of those resources already available.

32. In view of the time restraints, his delegation had decided not to make an oral statement of its position regarding draft resolution E/CN.4/1992/L.59. Instead, it had supplied to the secretariat a written statement which would be available for consultation by interested delegations.

33. Mr. BARKER (Australia) said that his delegation had voted against the procedural motion to suspend the 24-hour rule with regard to draft resolution E/CN.4/1992/L.49/Rev.1, since all delegations needed sufficient time to consider draft resolutions, particularly those on controversial issues, in a calm and proper manner. Although the parties concerned had agreed to waive the rule, the consideration of draft resolutions was not a sporting contest in which the players had priority over the spectators. The request that the 24-hour rule be applied had been an entirely reasonable one.

34. Mr. ZHANG Yishan (China) said he welcomed the Commission's decision not to take action on draft resolution E/CN.4/1992/L.49/Rev.1. The sponsors of that draft resolution had tried to impose it unscrupulously on other States. His delegation wished to thank those States which had supported China in the non-action motion and noted that other delegations which had voted in favour of the motion were not necessarily in favour of separating Tibet from China. All nationalities living in China enjoyed the same human rights without discrimination. China had always contributed to the promotion and protection of human rights.

35. Mr. MOTTAGHI-NEJAD (Islamic Republic of Iran) said that his delegation wished to express its reservations, with regard to preambular paragraph 4 of draft resolution E/CN.4/1992/L.70.

36. Mr. SENE (Senegal) said that his delegation had abstained in the vote on draft resolution E/CN.4/1992/L.24, because it considered that the Government of Iran had demonstrated good-will and had hoped that, as in the previous year, the Commission could reach a consensus. Unfortunately, that had not been possible.

37. In his delegation's opinion, from the moment that the Government of Iran had agreed to collaborate with the Commission by receiving the Special Representative and providing him with useful information, both parties should have demonstrated good-will in order to formulate the provisions of the resolution in question on the basis of a consensus. That would have encouraged the Government to continue to cooperate with the Special Representative.

38. It was clear that, in the post-cold-war period which marked the advent of a new world order, the Organization must work on the basis of equity and objectivity in order to help all political regimes to participate to a greater extent in the common effort to protect human rights and to promote the process of democratization both within nations and at the level of international relations.

39. During the historic summit meeting of the Security Council on 30 January 1992, the President of the Council - the Prime Minister of the United Kingdom - had stressed the Security Council's responsibility with regard to peace-keeping. He had said that the Council had to monitor respect for human rights and to ensure the repatriation of refugees within the framework of the peaceful settlement of regional conflicts. That conferred on the permanent members of the Security Council an important responsibility with regard to international cooperation in favour of the protection and promotion of human rights in the world.

40. In its voting procedure and interpretation of resolutions, the Commission must avoid any polarization between North and South. It should concentrate rather on the fate of victims of human rights violations wherever they occurred, while respecting the territorial integrity of States. It was clear that the pressure of world public opinion, the impact of the media and the activities of non-governmental organizations were so many factors that made it possible to alert the worldwide conscience to the need for improving the promotion and protection of human rights everywhere.

41. Mr. RHENAN-SEGURA (Costa Rica) said that his delegation had voted against the procedure proposed by Pakistan because it was extremely concerned about the situation prevailing in China. He recalled that, in 1959, 1961 and 1965, his delegation had supported the General Assembly resolutions condemning the violations of human rights by China in Tibet and recognizing the right of the Tibetan people to self-determination.

42. The situation in Tibet continued to be deplorable. The Tibetans were being deprived of their human rights and fundamental freedoms, including the right to life and the right to freedom of expression.

43. Mr. PORTALES (Chile) said, with regard to draft resolution E/CN.4/1992/L.49, that his delegation had voted in favour of no action because it had felt that, from the legal standpoint, it would not be appropriate to submit a draft resolution concerning the human rights situation in any given region of a particular country. The revised draft had not overcome that objection and his delegation therefore considered that the Commission should not deal with the matter.

44. Mr. AMANI (Observer for Afghanistan) said that his delegation was unable to accept the tenth preambular paragraph of draft resolution E/CN.4/1992/L.62/Rev.1, since it upset the balance of the text and ran counter to the Secretary-General's statement of 21 May 1991 in which he had submitted a five-point peace plan to serve as a basis for an overall political settlement in Afghanistan, acceptable to the majority of the Afghan people. He requested the secretariat to take note of that reservation and to ensure that it was reflected in the summary record of the meeting.

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION:

(a) ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

(b) NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

(c) COORDINATING ROLE OF THE CENTRE FOR HUMAN RIGHTS WITHIN THE UNITED NATIONS BODIES AND MACHINERY DEALING WITH THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

(agenda item 11) (continued) (E/CN.4/1992/L.82/Rev.1)

Draft resolution on internally displaced persons (E/CN.4/1992/L.82/Rev.1)

45. Mr. STROHAL (Austria), introducing the draft resolution on behalf of its sponsors, which had been joined by the delegations of Argentina, Italy and Somalia, and the observer for Denmark, said that representatives of all regions had been consulted with a view to finding an acceptable text. As a result of those consultations, it had been agreed to revise the draft resolution in the following manner.

46. With regard to operative paragraph 2, the words "its Chairman, after consulting the members of the Bureau, to appoint an independent expert to study" should be replaced by the words "the Secretary-General to designate a representative to seek again views and information from all Governments on".

47. In operative paragraph 3, the words, in the first to the third lines, "the independent expert, concerning questions relating to his mandate, to seek, in consultation with the Secretary-General, information from all Governments", should be replaced by "the Secretary-General to seek also views and information from". In the fifth line of the paragraph, the words "and all other persons with relevant information, and to consult with" should be replaced by "experts in all regions on these issues as well as". In the seventh line of the paragraph, the words "the International Organization for Migration" should be inserted after the words "for Refugees".

48. Operative paragraph 4 should be deleted.

49. Operative paragraph 5 would become operative paragraph 4 and should end with the word "subject" (instead of "subjects"), the remainder of the paragraph being deleted.

50. Operative paragraph 6 would be renumbered operative paragraph 5 and the words "independent expert" should be replaced by the words "Secretary-General".

51. In operative paragraph 7 (new operative paragraph 6), the words "support the expert in" should be deleted and replaced by the words "contribute to".

52. Operative paragraph 8 should be deleted and operative paragraph 9 (new operative paragraph 7) would remain unchanged.

53. With those revisions, the sponsors hoped that the plight of displaced persons would be addressed constructively by the international community and that the study to be presented to the Commission at its following session would enable it to take further and decisive action.

54. He hoped that the draft resolution would be adopted without a vote.

55. Mr. SHAH (India), Mr. BLAVO (Ghana), Mr. VILLAROEL (Philippines), Mr. ANSARI (Pakistan) and Mr. ZHANG Yishan (China) said that their delegations wished to become sponsors of the draft resolution, as orally revised.

56. Mr. H.B. JALLOW (Gambia), Ms. DEWARAJA (Sri Lanka) and Mr. KARIM (Bangladesh) said that their delegations could support the draft resolution, as orally revised.

57. Mr. MALGUINOV (Russian Federation) said that the problem of internally displaced persons was one of the most serious in the world. In the former Soviet Union, there were currently more than 1 million such persons. Throughout the world, over 20 million persons belonged to that category and the problem was due primarily to the violations of human rights. The Commission must deal with that issue, as the Minister for Foreign Affairs of Russia had said in his address to the Commission.

58. His delegation hoped that, at its forthcoming session, the Commission would be able to adopt a more productive and specific resolution on the subject.

59. Mrs. RUESTA de FURTER (Venezuela) said that her delegation wished to become a sponsor of the draft resolution.

60. In order to bring the text into line with operative paragraph 3, her delegation would like to include a reference to the International Organization for Migration in the new operative paragraph 6. However, it would not press its proposal if the sponsors did not agree.

61. Mr. STROHAL (Austria) said he thought that all the sponsors were able to accept that suggestion.

62. Mr. MAUTNER-MARKHOF (Secretary of the Commission) said, with regard to the cost estimates for the second revised version of the draft resolution, the determination as to whether they came within the provision already made for the biennium 1992-1993 would require confirmation by the Office for Programme Planning, Budget and Finance in New York. The relevant figures would be included in the Commission's report to the Economic and Social Council.

63. Draft resolution E/CN.4/1992/L.82/Rev.1, as orally revised, was adopted without a vote.

64. Mr. ALFONSO MARTINEZ (Cuba), speaking in explanation of vote, said that his delegation had joined the general consensus on the new version of the draft resolution and thanked the sponsors for the flexibility they had shown in drafting an acceptable text. His delegation was pleased that the revised text met the concerns expressed by a number of delegations.

65. While he was very conscious of the importance of the question of internally displaced persons, he noted that the lack of a specific definition of that group created complications relating not only to the human rights of those persons but also to specific aspects of the sovereignty of States. At its forthcoming session, the Commission would have received the views of Governments and would be able to deal with the question in depth.

RIGHTS OF THE CHILD, INCLUDING:

(a) STATUS OF THE CONVENTION ON THE RIGHTS OF THE CHILD

(b) REPORT OF THE SPECIAL RAPPORTEUR ON THE SALE OF CHILDREN

(c) PROGRAMME OF ACTION FOR THE ELIMINATION OF THE EXPLOITATION OF CHILD LABOUR

(d) DRAFT PROGRAMME OF ACTION FOR THE PREVENTION OF THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

(agenda item 22) (continued) (E/CN.4/1992/L.84-86)

Draft resolution on the Programme of Action for the prevention of the sale of children, child prostitution and child pornography and for the elimination of the exploitation of child labour (E/CN.4/1992/L.84)

66. Mr. SALAZAR (Colombia), introducing the draft resolution on behalf of its sponsors, said that it proposed two programmes of action, at the national and international levels, to eliminate such gross violations of the fundamental rights of children throughout the world as the sale of children, child prostitution and child pornography and the exploitation of child labour.

67. While the time devoted by the Commission to consideration of those problems had been regrettably short, the quality of the debate had highlighted the urgent need to take specific and far-reaching measures to put an end to those tragic situations. Although the draft resolution had had only limited circulation because of the lack of time, the sponsors hoped that it could be adopted by consensus and thereby serve as a frame of reference to support and orient national programmes for the protection of children.

68. The draft programme of action for the elimination of the exploitation of child labour had been sent to Governments and to intergovernmental and non-governmental organizations for their consideration. The opinions received were contained in document E/CN.4/1992/45 and, according to part II of the draft resolution, the draft programme of action would be returned to the Sub-Commission so that it could make the necessary changes, in the light of the views received, and submit the revised draft programme to the Commission at its forty-ninth session.

69. The draft resolution (E/CN.4/1992/L.84) was adopted without a vote.

Draft resolution on the implementation of the Convention on the Rights of the Child (E/CN.4/1992/L.85)

70. Ms. MARTENSSON (Observer for Sweden), introducing the draft resolution on behalf of its sponsors, which had been joined by the delegations of Brazil, Bulgaria, Costa Rica, Cyprus, the Islamic Republic of Iran, Italy and Kenya and the observers for Rwanda and Spain, said that it called upon all States that had not yet done so to sign, ratify or accede to the Convention as a matter of priority. It emphasized the importance of the strict compliance by States parties with their obligations under the Convention. It also appealed to States parties that had made reservations to review the compatibility of those reservations with article 51 of the Convention and other relevant rules of international law.

71. In the draft resolution, the Commission welcomed the constructive results achieved by the Committee on the Rights of the Child at its first session and strongly supported the recommendations contained in the Committee's report. It requested the Secretary-General to make the necessary resources available to enable the Working Group of the Whole of that Committee to meet in 1992.

72. The word "interim" in the first line of operative paragraph 9 of the draft resolution should be deleted. It was the hope of the sponsors that the draft, as orally revised, could be adopted without a vote.

73. Draft resolution E/CN.4/1992/L.85, as orally revised, was adopted without a vote.

Draft resolution on the Special Rapporteur on the sale of children, child pornography and child prostitution (E/CN.4/1992/L.86)

74. Mrs. SANTOS PAIS (Portugal), introducing the draft resolution on behalf of its sponsors, which had been joined by the delegations of the Islamic Republic of Iran and Italy and the observers for Rwanda and Switzerland, said that it reflected the steps taken since 1991 on the subject in the light of the report presented by the Special Rapporteur, in which concern was expressed about the persistence of situations such as the sale of children, including sale for adoption, the situation of child soldiers, the disappearance of street children, child prostitution and child pornography.

75. The text also reaffirmed the need for a continuing exchange of information between the various mechanisms and bodies entrusted with the task of preventing and combating situations of the sale of children, child prostitution and child pornography, as well as for ensuring an effective multidisciplinary approach on those issues.

76. The draft resolution made reference to the legal framework established by the Convention on the Rights of the Child, to the work to be developed by the Committee on the Rights of the Child, and to the attention brought to those situations by the Sub-Commission, through its Working Group on Contemporary Forms of Slavery.

77. It emphasized the importance of adopting preventive strategies to tackle the root causes of such situations of exploitation of children, and recognized the important role of international agencies, non-governmental organizations and the community at large in ensuring a greater awareness and more effective action to prevent such exploitation. It also emphasized the importance of ensuring the training on children's rights of those involved in actions concerning children, in particular the judiciary and law enforcement officials, and encouraged the establishment of bodies and institutions, both governmental and non-governmental, to act on behalf of the child in the light of his or her best interests.

78. The draft resolution also endorsed the recommendation of the Special Rapporteur that States should establish a national focal point to coordinate action on children's rights, including matters connected with the sale of children, child prostitution and child pornography.

79. At the end of operative paragraph 13, the words "and to this effect, invite him to participate at the next session of the above-mentioned Working Group" should be added.

80. Lastly, the sponsors of the draft resolution were in favour of extending the mandate of the Special Rapporteur for a further three years, while maintaining the annual reporting cycle, in order to enable him to submit further conclusions and recommendations to the Commission. It was their hope that, in view of the wide consultations that had preceded the elaboration of the draft resolution, it would be adopted by consensus.

81. Mr. MAUTNER-MARKHOF (Secretary of the Commission) said that the estimated cost of implementing the draft resolution would be US$ 109,300 in 1992 and US$ 114,800 in 1993, sums that had been included in the programme budget for the biennium in question, and US$ 120,500 in 1994 and US$ 35,700 in 1995, sums that would be taken into account when preparing the programme budget for the next biennium. The cost estimates were based on previous patterns of expenditure.

82. The draft resolution (E/CN.4/1992/L.86), as orally revised, was adopted without a vote.

83. Ms. ROSAL (Philippines), speaking in explanation of vote, said that, as one of the first countries to ratify the Convention on the Rights of the Child, the Philippines was totally committed to the protection of the rights of the child and her delegation had therefore joined the consensus on the draft resolution. It had, nevertheless, some reservations concerning the extension of the mandate of the Special Rapporteur for a further three years. In the interests of economy and efficiency and in order to avoid duplication, the mandate should be extended for one year, after which the functions of the Special Rapporteur could be adequately assumed by the Committee on the Rights of the Child, in coordination with the competent United Nations organs, such as UNICEF.

84. It was also reassuring to know that the non-governmental organizations would, as always, be vigilant in contributing towards the protection and promotion of the rights of the child.

85. Ms. KRUEGER (United States of America) said that, while her Government firmly believed that the sale of children, child prostitution and child pornography should be condemned and prosecuted wherever they occurred, the Commission was not necessarily the proper forum for discussion of those issues. Unfortunately, in the rush to conclude the Commission's work, the current item had not received sufficient examination.

86. Many of the issues addressed were largely criminal matters, while others were more appropriately handled by ILO or UNICEF. The Commission should consider whether another United Nations body, such as the new Commission on Crime Prevention and Criminal Justice or ILO, might not be in a stronger position to make progress on those issues.

87. In view of the limited funds available, the Commission should reconsider the wisdom of continuing the system of a special rapporteur on the question.

88. The Special Rapporteur's report had again raised, but had neither substantiated nor refuted, allegations of the sale of third world children for the purpose of organ transplants in developed countries. The FBI, Interpol and the United States Surgeon-General had all investigated and confirmed that no allegation of adoption or purchase of third world children by United States or other citizens for purposes of organ transplantation had ever been substantiated. Continued emphasis on those old, sensationalized and unsubstantiated allegations detracted from the many very serious issues of child exploitation that fell within the mandate of the Special Rapporteur.

89. For those reasons, her Government had decided to dissociate itself from the consensus on draft resolutions E/CN.4/1992/L.84 and E/CN.4/1992/L.86, and called upon the Commission to consider those issues more carefully the following year.

The meeting rose at 12.55 p.m.